

The possible outcomes of an investigation are:

Substantiated

Evidence was able to prove that what was alleged did happen.

Unsubstantiated

It cannot be proven either way that the allegation did or did not happen. The term does not imply guilt or innocence.

Unfounded

There is no evidence to support the allegation or there is evidence to prove that the allegation is untrue. It may indicate that the situation may have been misinterpreted by the complainant.

Malicious/False

There is clear evidence to prove that there has been a deliberate act to deceive and the allegation is entirely false.

If the allegation is substantiated and you are dismissed, or resign before you are dismissed, your employer is legally obliged to refer the matter to the Disclosure and Barring Service (DBS) or other professional regulatory bodies. The DBS has the power to decide whether you should be barred, or have conditions imposed, in respect of working with adults with care and support needs.

The length of time to resolve the matter

It is in everyone's interest for cases to be dealt with as quickly as possible, fairly and thoroughly. Some cases may take longer because of their complexity. The AML will endeavour to ensure investigations of allegations are resolved as quickly as possible.

Confidentiality

Confidentiality will be maintained and information restricted to those who have a need to know.

Recordkeeping

Employers keep human resources records, which will detail the allegation, how it was investigated, the outcome and the action taken.

This information will be kept on Rochdale local authority's allegation management system for a period of 10 years or until the person alleged to have caused harm reaches 100 years, depending on the outcome of the investigation. These arrangements are in line with Rochdale local authority designated officer procedures.

Further information

You can find the Rochdale procedures for Managing Allegations at:

rbsab.org/professionals/allegations-management/

Disclosure and Barring Service:
gov.uk/government/organisations/disclosure-and-barring-service

Care Quality Commission:

cqc.org.uk/

Managing Allegations: What happens when an allegation has been made about you?

INFORMATION FOR EMPLOYEES



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What happens if an allegation is made against you?

The majority of people who work or volunteer with adults with care and support needs act professionally and aim to provide a safe and supportive environment for them. However, sometimes the behaviour of staff who work or volunteer with adults can result in allegations being made against them.

It is never acceptable for staff to harm an adult with care and support needs and therefore allegations or concerns about behaviour raised about staff who work with adults are taken seriously.

If an allegation has been made or a concern raised about your behaviour in the workplace in relation to adults with care and support needs, or your behaviour outside work raises concerns about your suitability, further information is needed to understand what has happened.

We understand that this may be a difficult time for you.

This leaflet explains the procedure which will be followed.

Investigation of allegations

An allegation is reported to Rochdale's Allegation Management Lead (AML)

Safeguarding lead or senior manager within organisation considers allegation and consults with the AML and addresses any immediate safeguarding concerns

Consideration as to whether the staff member who works with adults with care and support needs has:

1. Behaved in a way that has harmed or may have harmed an adult or child
2. Possibly committed a criminal offence against or related to an adult or child
3. Behaved towards an adult or child in a way that indicates they may pose a risk of harm to adults with care and support needs

The AML will advise your employer whether an allegation management strategy meeting is required

If it is necessary to investigate further, a decision will be made during the allegation management strategy meeting as to whether this will be the police, adult social care or your employer or a combination of agencies

Following the investigation a decision will be made to conclude the outcome as: Substantiated, Unsubstantiated, Unfounded or Malicious / False. You will be updated regarding the outcome of the investigation

What happens at the allegation management strategy meeting?

The AML will chair the allegation management meeting. You will not be involved in the meeting and neither will the adult involved or their representative. Your employer will attend the meeting; police and adult social care may also attend.

The meeting will decide:

- What is required to safeguard the adult involved or any other adults with care and support needs with whom you have contact.
- Whether a police and / or adult social care investigation is required or whether disciplinary procedures should be followed; this could include your employer suspending you for a period of time without prejudice. Any internal investigation should follow any police or adult social care enquiries.
- What information can be shared with you and by whom. Whilst all parties will endeavour to share as much information with you in a timely and transparent manner, certain agency processes are beyond the control of the AML.
- What support should be provided to you and others who may be affected and by whom.
- Whether further investigation is required following which a second allegation management strategy meeting needs to be convened to reach an outcome.

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For more information visit: rbsab.org/professionals/allegations-management/